GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes and Transport Departments – Surprise Check conducted over the Boarder Check Post of Road Transport Authority and Commercial Tax Department, Near Cattle Farm, Palamaner, Chittoor District on 27-07-2014 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification Control and Appeal) Rules, 1991 - Article of Charges framed against Sri Mardarapu Guruswamy, Junior Assistant, Boarder Check Post, Commercial Tax Department - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.511 Dated : 28-04-2016
Read :

G.O.Ms.No.175 , Revenue (Vigilance – II) Department, dated: 28-04-2016.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference read above, it is considered necessary to hold an enquiry against Sri Mardarapu Guruswamy, Junior Assistant, (Suspected Officer-8) Boarder Check Post, Commercial Tax Department , Palamaner, Chittoor District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Mardarapu Guruswamy, Junior Assistant, (Suspected Officer-8) Boarder Check Post, Commercial Tax Department, Palamaner, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Mardarapu Guruswamy, Junior Assistant, (Suspected Officer-8) Boarder Check Post, Commercial Tax Department , Palamaner, Chittoor District is further informed that if he does not submit his written statement of defense on or before the date specified in para 2 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Mardarapu Guruswamy, Junior Assistant, (Suspected Officer-8) Boarder Check Post, Commercial Tax Department , Palamaner, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or

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attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA RADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Mardarapu Guruswamy, Junior Assistant, (Suspected Officer-8) Boarder Check Post, Commercial Tax Department, Palamaner, Chittoor District
(w.e, Annexures I to IV)
through the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad.
(with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

1.The Commissioner of Commercial Taxes,
Andhra Pradesh, Hyderabad.
2.The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
3.The Director General, Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.
4.The Deputy Commissioner, Commercial Taxes, Chittoor District.
5.The Revenue (Commercial Tax-I) Department.
SF / SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE – I

ARTICLES OF CHARGES FRAMED AGAINST SRI MARDARAPU GURUSWAMY, AGE 51 YEARS, JUNIOR ASSISTANT. BOARDER CHECK POST, COMMERCIAL TAX DEPARTMENT, PALAMENER, CHITTOOR DISTRICT.

That Sri Mardarapu Guruswamy having joined Government service as Junior Asst., in Commercial Taxes Department and posted to Border Check Post, Palamaner, Chittoor District on 04-06-2014. He worked in the above capacities at various places in Chittoor District. He worked as Junior Assistant, Boarder Check Post, Commercial Tax Department, Palamaner, Chittoor District from 04-06-2014 to 27-07-2014. While he was working as Junior Assistant from 04-06-2014 to 27-07-2014, he has committed grave misconduct in as much as he failed to give satisfactory explanation for un accounted amounts seized from the office premises to a tune of Rs.39,000/-.

Further he with the connivance of his staff allowed private person i.e., one Dampuri Mallikarjuna unauthorizedly in the Check Post to attend official duties and to collect bribe amounts from the truck/lorry operators passing through the check post on the behalf of the staff. An amount of Rs.2,190/- was seized from the above private person.

Further with the connivance of his staff in the habit of collecting bribe amounts from the truck /lorry operators passing through the Boarder Check Post and the same is evidenent by voluntary offerings obtained in the counter of Commercial Tax Department during the time of Surprise check to a tune of Rs.4,000/-.

Thus, Sri Mardarapu Guruswamy by his above mentioned acts has exhibited lack of supervision lack of integrity, lack of devotion to duty, conduct unbecoming of a Government servant and thereby contravened Rule 3(1),(2) and 9(8) (A) of Andhra Pradesh Civil Services (Conduct) Rules,1964. And also violating the instructions of Memo No.101/Spl.B/2000-4, dated:17-04-2001 of Government General Administration Department (Spl.B).

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST MARDARAPU GURUSWAMY, AGE 51 YEARS, JUNIOR ASSISTANT, BOARDER CHECK POST, COMMERCIAL TAX DEPARTMENT, PALAMENER,CHITTOOR DISTRICT.

That Sri Mardarapu Guruswamy is a native of Tirupati, Chittoor District. His date of birth is 25-06-1963. He entered into Government service as Junior Asst., in Commercial Taxes Department. He worked in the above capacities at various places in Chittoor District. He worked as Junior Assistant, Border Check Post, Commercial Tax Department, Palamaner, Chittoor District from 04-06-2014 to 27-07-2014. He was drawing a basic pay of Rs.11,200/- in scale of pay Rs.9,200/- to Rs.27,000/- as on 27-07-2014. His superannuation is on 30-06-2023. He is here-in-after referred to as Government Servant.

FACTS & EVIDENCE:

Basing on the credible information that the officials working in the Boarder Check Post, Commercial Taxes Department, Palamaner, Chittoor District were indulging in corrupt and illegal practices and were collecting illegal gratifications/bribes from the drivers/cleaners of the vehicles passing through the check post by allowing them to pass through the check post without check for the irregularities being committed by them, a surprise check was conducted on Boarder Check Post, Commercial Taxes Department, Palamenr, Chittoor District on 27-07-2014 from 04:10 Hrs to 08:00 Hrs in the presence of official independent witnesses.

During the surprise check, the Government Servant Sri Mardarapu Guruswamy being the responsible officer on duty at the Boarder Check Post, he had to perform his legitimate duties of verification of documents of incoming Goods Vehicles, to collect taxes/penalties & user charges etc., whereas he was found using his official position for his pecuniary gains and causing loss to the Government Revenue. He is habituated to corruption and he also encouraged corruption among his co-staff, which is evident through the recovery of un accounted amounts from the office premises of Boarder Check Post, Commercial Tax Department, Palamaner to a tune of Rs.39,000/-.

Being the Government Servant he, with the connivance of his staff is in the habit of collecting bribe amounts from the truck/lorry operators passing through the check post and the same is evident by voluntary offerings obtained in the counter of Commercial Taxes department during the time of surprise check to a tune of Rs.4,000/-. Being the Government Servant, he with the connivance of his staff allowed private person i.e., on Dampuri Mallikarjuna unauthorizedly in the Check Post to attend official duties and to collect bribe amounts from the truck/lorry operators passing through the check post on the behalf of the staff. An amount of Rs.2,190/- was seized from the above private person.

Further he utterly failed to implement superior's instructions and allowed his subordinate staff working under him in the Check Post giving an ample scope for the subordinates, who resort to corrupt practices.

The facts and material gathered so revealed that the Government Servant Sri Mardarapu Guruswamy, Junior Assistant, Boarder Check Post, Palamaner, Chittoor District has committed the grave misconduct.

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Thus, the Government Servant Sri Mardarapu Guruswamy by his above mentioned act has exhibited lack of integrity, devotion to duty and conduct, unbecoming of Government Servant and thereby violated Rule 3 (1), (2) & 9(8)(A) of Andhra Pradesh Civil Services (Conduct) Rules, 1964. And also violating the instructions of Memo No 101/Spl.B/2000- 4, dated:17-04-2001 of Government General Administration Department (Spl.B).

The Government Servant has therefore rendered himself liable for regular Departmental Action.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE —III

LIST OF WITNESSES:-

1. Kullareddygari Somasekhara Reddy, S/o. Late. K.Venkata Reddy, Age-50, Asst. B.C. Welfare Officer, Chittoor, R/O. D.No. 6/539, Gudiyatham Road, Palamaner, Chittoor District. Cell. No. 9849904511.
2. Velamjery Sai Thiruvengalam, S/o. Velamjery Prabhakar, Age-33, Junior Assistant, District B.C.Welfare Office, Chittoor, R/o. D.No. 4-567/A2, Durganagar colony, Chittoor. Cell No. 9491844914.
3. Nallapu Muni Venkatappa, S/o. Late. N.Chinnaiah, Age-54, Asst. B.C.Welfare Officer, Tirupati, R/o. D.No. 9-128/10, Vijayapuram, Satyanarayanapuram, Tirupati. Cell No. 9849904514.
4. Namburi Raja Gopal Naidu, S/o. Venkata Ramana, Age-54, Hostel Welfare Officer, Govt. B.C. Boys Hostel, Chenna Reddy colony, Tirupati, R/o. Flat No. 208, Dreams Avenue, Old Renigunta road, Tirupati. Cell No. 9440094623.
5. V.Chalapathi, S/o. Venkatappa, Age-23, R/o. Gandlapalle, Gangavaram mandal, Chittoor district, Cleaner of Lorry bearing no.AP27 V 7488. Cell.No. 8125059563.
6. Padigath Praveen, S/o. Late. P.Ankaiah, Age-38, Driver of Eicher bearing no. AP03 Y 9979, R/o. D.No. 16-1-3-2, Thummalagunta village, Tirupati. Cell.No. 9492629008.
7. Nuthalapati Anil Kumar, S/o. Late. Lakshmaiah, Age-36, Driver of Tourist bus bearing No. AP26 TA 3921, R/o. Gangapatnam village, lndukur mandal, Nellore district. Cell.No. 9441538167.
8. Thangavelu Kuppuswamy, S/o. Late. Thangavelu, Age-39, Driver of lorry bearing no. TN52 C 1692, R/o. D.No. 36-63, Galinayaknoor village, Dharmapuri district. Tamilnadu. Cell. No. 9489753415.
9. Kuppalingam Subramanyam, S/o. Late Kuppalingam, Age-55, Driver of lorry bearing no. KA 06 C 6052, R/o. D.No.2, Valliamman street, Sarvanpetai, Vellore district.
10. Dampuri Mallikarjuna, S/o. Late. D.Krishnaiah, Age-29, R/o. D.No.175, Kaikala street, SKHT, Cell.No. 9966354155.
11. Sri. A.Sankar Reddy, Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati Range, Tirupati.
12. Sri. K. Chandra Sekhar, Inspector of Police, Anti Corruption Bureau, Tirupati Range, Tirupati.
13. D.Partha Sarathi Reddy, Inspector of Police, Anti Corruption Bureau, Kadapa, Tirupati Range.
14. P. Prasad Rao, Inspector of Police, Anti Corruption Bureau, Kurnool Range, Kurnool.

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE —IV

LIST OF RECORDS/DOCUMENTS: -

1) Original Surprise Check proceedings 2 drafted on 27-07-2014 from 00:10 Hrs to 07:00 Hrs at the Boarder Check Post, Palamaner, Chittoor Dist.,
2) Attendance Register of Commercial Taxes Department of Boarder Check Post,Palamaner, Chittoor Dist.,
3) Lr.No Jr.01/2/2014, dated:11-08-2014 of Deputy Commercial Tax Office, Border Check Post, Palamaner,
4) Ref No. B1/163/2014. Dated:19-08-2014 of Deputy Commissioner (Commercial Taxes), Chittoor District.
5) Statement of V.Chalapathi, S/o. Venkatappa, Age-23, R/o Gandlapalle, Gangavaram mandal, Chittoor district, Cleaner of Lorry driver bearing no.AP27 V 7488. Cell.No. 8125059563.
6) Statement of Padigath Praveen, S/o. Late. P.Ankaiah, Age-38, Driver of Eicher bearing no. AP03 Y 9979, R/o. D.No. 16-1-3-2, Thummalagunta village, Tirupati. Cell.No. 9492629008.
7) Statement of_Nuthalapati Anil Kumar, S/o Late Lakshmaiah, Age-36, Driver of Tourist bus bearing No. AP26 TA 3921, R/o. Gangapatnam village, Indukur mandal, Nellore District. Cell.No. 9441538167.
8) Statement of Thangavelu Kuppuswamy, S/o Late Thangavelu, Age-39, Driver of lorry bearing no. TN52 C 1692, R/o. D.No.36-63, Galinayaknoor village, Dharmapuri District. Tamilnadu. Cell. No. 9489753415.
9) Statement of Kuppalingam Subramanyam, S/o Late Kuppalingam, Age-55, Driver of lorry bearing no. KA 06 C 6052, R/o D.No.2, Valliamman Street, Sarvanpetai, Vellore district.
10) Statement of Dampuri Mallikarjuna, S/o. Late D.Krishnaiah, Age-29, R/o. D.No.175, Kaikala Street, SKHT, Cell.No. 9966354155

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